

# **California Victim Compensation and Government Claims Board**

## **Open Meeting Minutes**

### **March 20, 2008, Board Meeting**

The California Victim Compensation and Government Claims Board convened its meeting in open session at the call of Leslie Lopez, Deputy Secretary and General Counsel, State and Consumer Services Agency, at 400 R Street, Sacramento, California, on Thursday, March 20, 2008, at 10:00 a.m. Also present was Board member Michael Ramos, San Bernardino County District Attorney.

Board staff present included Karen McGagin, Executive Officer; Tom O'Connor, Chief Deputy Executive Officer; and Garry Ness, Chief Counsel. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

#### **Item 1. Minutes of the February 21, 2008, Board Meeting**

Acting Chairperson Leslie Lopez stated she was not in attendance at the February 21, 2008, Board meeting; however, prior to the meeting, Chairperson Marin advised her that she had reviewed the minutes and authorized her to vote for adoption of the minutes. The Board voted to adopt the minutes of the February 21, 2008, Board meeting.

#### **Item 2. Public Comment**

The Board opened the meeting for public comment. No public comment was offered.

#### **Item 3. Executive Officer's Statement**

In recognition of National Victims' Rights Week, April 13-19, 2008, the Executive Officer provided the Board members with informational packets that contained Victims' Rights Week ribbons, flyers, and bookmarks. The Executive Officer gave her report to the Board, which included the following information:

- National Crime Victims' Rights Week is April 13-19 and this year's theme is "Justice for Victims. Justice for All." The VCGCB will participate in a number of events and activities at the local, state, and national level including the annual march to the west steps of the Capitol on April 16.
- The VCGCB will cosponsor the first meeting of the "Missing Persons Information, Resources & Hope" Conference on April 17 in the Lecture Hall at McGeorge School of Law in Sacramento. The free conference will focus on resources that can help prevent and resolve missing person cases. Other cosponsors include the Governor's Office, Attorney General's (AG's) Office of Victim Services, AG's Missing Persons and Unidentified Persons Unit, Office of Emergency Services, and the California Department of Corrections and Rehabilitation's Office of Victim and Survivor Rights & Services.
- The VCGCB will cosponsor the DNA/Cold Case Summit on April 24 at the Sacramento Convention Center. The one-day summit will highlight cold homicide cases, successes, failures, promising practices and their impacts on prosecution, law enforcement, victims, and crime labs. Other proud sponsors of this event include the California District Attorneys Association, the California Police Chiefs Association, the California State Sheriff's Association, the California Victim Assistance Association, the California Association of Crime Laboratory Directors, the California Victim Assistance Association, Citizens Against Homicide, and the Institute for the Advancement of Criminal Justice.

The Executive Officer reported the VCGCB is committed to working with its partners in victim services to help victims and their families rebuild their lives. In the words of the great civil rights leader Dr. Martin Luther King, Jr., "injustice anywhere is a threat to justice everywhere."

#### **Item 4. Contract Report**

The Executive Officer presented the Contract Report to the Board.

#### **Item 5. Report and Recommendations on Remedies for the Exonerated by the California Commission on the Fair Administration of Justice**

Garry Ness, Chief Counsel, provided the Board with an overview of the report.

#### **Government Claims Program**

#### **Item 6. Consent Agenda (Nos. 1- 356)**

The Board voted to adopt the staff recommendations for numbers 1-356 with the exception of number 117, G571316, which was removed due to additional information received by staff.

#### **Item 7. Matich Corporation Claim Number G561593**

The Board voted to adopt the staff recommendation to allow the claim in the total amount of \$58,628.30 to be paid under authority of Government Code section 965 (agency pay).

#### **Item 8. RTM Operating Company Claim Number G571225**

#### **Penny Newman Grain Co., Inc. Claim Number G572728**

The Board voted to adopt the staff recommendations to allow the claims in the total amounts of \$64,847.24 and \$77,539.41, respectively, to be paid under authority of Government Code section 13928 (legislative pay).

#### **Item 9. Request for Delegation of Authority Under Government Code Section 935.6 by the Department of Consumer Affairs**

The Board voted to adopt the staff recommendation to authorize the Department of Consumer Affairs to settle and pay and to reject claims timely claims that do not exceed \$1,000.00 each from May 1, 2008, to April 30, 2009.

#### **Victim Compensation Program**

The Board commenced the Victim Compensation Program portion of the meeting at 10:19 a.m.

**Consent Agenda (Nos. 1- 5)**

**Request for Reconsideration**

**Recommendation: Partial Allow (No. 6)**

**Requests for Reconsideration**

**Recommendation: Deny (Nos. 7-13)**

**Reconsiderations Following Board Action on a Proposed Decision**

**Recommendation: Deny (Nos. 14A, 14B, & 15)**

**Proposed Decisions Following Failure to Respond  
(Nos. 16- 39)**

**Proposed Decisions Following Failure to Appear  
(Nos. 40- 55)**

The Board addressed numbers 1-55 noted above as a whole. The Board voted to adopt the above staff recommendations and proposed decisions for numbers 1-55.

**Closed Session**

Pursuant to Government Code section 11126(c)(3), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 10:20 a.m. to deliberate on the proposed decisions, numbers 56-78.

The Board reconvened into open session at 10:23 a.m.

**Open Session**

The Board voted to adopt the proposed decisions for numbers 56-78.

Acting Chair Leslie Lopez stated the next Board meeting is scheduled on Tuesday, April 22, 2008, at 2:00 p.m.

**Adjournment**

The Board meeting adjourned at 10:23 a.m.

Karen McGagin  
Executive Officer

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I certify that the California Victim Compensation and Government Claims Board adopted these minutes at its meeting of April 22, 2008, at Sacramento, California.

Date: April 22, 2008 By: \_\_\_\_\_

Board Liaison

(Affix Seal here)